

Board of Selectmen's Meeting Minutes
February 18, 2010
Harpswell Town Office
Approved on March 4, 2010

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Selectmen Present: James S. Henderson, Elinor Multer and Mark E. Wallace

Staff Present: Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:30 PM.

The meeting was videotaped and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Henderson moved, seconded by Selectman Wallace to adopt the agenda as printed; motion passed 3-0.

2. Public Comment: Howard Nichols, Census recruiter, encouraged each household to complete the 2010 census form. Census information is used to allocate \$400 billion in federal dollars per year and determine the number of seats in the House of Representatives. The form contains 10 questions and the responses are confidential. Mr. Nichols encouraged the public to apply for enumerator jobs that pay \$14.50/hr and reimburse .55/per mile for travel. Enumerators will contact homes that have not responded to the census to gather the information.

3. Approval of the Minutes: Selectman Multer moved, seconded by Chairman Henderson to approve the February 4 minutes by accepting the editorial suggestions submitted to the office by email by individual selectmen; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Wallace to approve the February 11 minutes by accepting the editorial suggestions submitted to the office by email by individual selectmen; motion passed 2-0 (Selectman Multer abstained).

4. Town Administrator's Report: Administrator Eiane reported on the groundbreaking ceremony held this past Tuesday to mark the beginning of the pipeline removal project. Administrator Eiane was in attendance along with Chairman Henderson, Selectman Multer, members of the Pipeline Committee, Project Manager, the contractor, and representatives from Senator Snowe's and Senator Collins' offices. Bill Wells will attend bi-weekly meetings with the contractor and will advise on any noteworthy issues. Administrator Eiane reminded the public that while the federal government has an easement to the pipeline area, it is private property and not for public recreational use such as snowmobiling unless owner permission has been granted. Administrator Eiane announced that the Town's nomination of the Conservation Commission for an Eco-Maine award has been accepted and the chair will be invited to attend a ceremony. Administrator Eiane announced that absentee ballots are available for the West Harpswell School referendum vote on March 9 and for the election and Curtis Memorial secret ballot item of March 20.

5. Selectmen's Announcements: Chairman Henderson announced MSAD's public hearing date of February 25 at 6:30 p.m. at Harpswell Islands School regarding the March 9 vote re: West Harpswell School closure.

6. Auditor's Report on 2009 Financials: Kathy Tyson, partner with Runyon, Kersteen, Ouellete auditors, reviewed the 2009 financial statements and handouts summarizing the highlights. Ms. Tyson stated the audit for the Town takes place over a very short timeframe and thanked the staff for their tremendous professionalism and preparation. She complimented the Town and staff on the excellent condition of the financial records. It was a "clean" audit.

7. Public Hearings

- **Restricting Vehicle Weight Ordinance on Town Ways:** Chairman Henderson opened the hearing at 7:22 p.m. Mike Webber asked if there was any consideration for permanently posting any roads and how the proposed ordinance will be enforced. Chairman Henderson responded that permanent posting

was not under consideration and enforcement will be on your honor. Mr. Webber stated he understood the need for posting roads but preferred that no road with a business on it be posted as it could be detrimental. Jennie Bichrest expressed a concern about the exemption for home heating deliveries as fully loaded trucks could weigh a lot and cause damage. Ms. Bichrest suggested changes to the application, including a general travel route instead of listing each proposed traveled road. Selectman Multer noted if the Ordinance passes and roads are posted, she hoped to hear from those affected with specific details. Deputy Administrator Sawyer noted that Billy Saxton, Dolphin Marine, phoned earlier and stated that he could not be in attendance but found the proposed amendments acceptable. Samuel Alexander suggested the Board consider the Town of Gorham's seasonal closure process that includes obtaining a permit from the Code Enforcement Officer or Road Commissioner after an inspection and under certain conditions. Chairman Henderson responded that he felt adding criteria of inspections would be cumbersome. Chairman Henderson moved, seconded by Selectman Wallace to table this item to the next meeting with the clarification of oil deliveries and amending the application. Administrator Eiane questioned if the board also wanted to consider at the next meeting actually posting roads; the Board responded yes. Mike Webber stated this proposal is the better of all evils but suggested no posting would be better. Mr. Alexander noted timber harvesting trucks may be affected by this as they need to haul full loads. The motion passed 3-0.

- **Gift Ordinance:** The hearing was opened and closed at 7:46 p.m. There were no comments from the public. Chairman Henderson moved, seconded by Selectman Wallace to place this Ordinance on the warrant; motion passed 3-0.

8. Review and Approve Final 2010 Town Meeting Warrant

a) Carrying Place: Samuel Alexander read the proposed articles for Town Meeting. Selectman Wallace expressed concern about spending Town legal funds for this issue. Chairman Henderson reviewed last Town Meeting where the Town voted to allow the Carrying Place Assembly to continue but turned down any appropriation. Malcolm Whidden questioned why the costs couldn't come from the Town's legal account and wondered how much was spent in legal fees in 1998. There was a conversation about combining both articles into one. Chairman Henderson moved, seconded by Selectman Multer to place the first Carrying Place article on the warrant; motion passed 3-0. Selectman Multer recommended the article and Chairman Henderson and Selectman Wallace provided a "no recommendation" for the article. Chairman Henderson moved, seconded Selectman Multer to place the money request article on the warrant; motion passed 3-0. Selectman Multer recommended the seconded article and Chairman Henderson and Selectman Wallace provided a "no recommendation" for the article. [Administrator Eiane reviewed the statute and clarified that only secret ballot items require a recommendation from the Selectmen].

b) Midcoast Regional Redevelopment Authority Request: Jeff Jordan, Deputy Director of Midcoast Regional Redevelopment Authority (MRRA), stated that two weeks ago the Director sent a letter to towns requesting financial assistance and donations from entities, including surrounding towns. There have been contributions from other towns such as Bath and Topham. The entire region will be affected by the Brunswick Naval Air Station Base closure and the MRRA's plans can benefit Harpswell with jobs. Mr. Jordan provided an update on the MRRA's efforts to bring business to the area such as aviation, composite, conventions, renewable energy and tourism. Chairman Henderson questioned MRRA's plans concerning transportation. Mr. Jordan explained that while the MRRA is not in the transportation industry, it is intending to open 7 roads to the public from the base to allow cross pollination and the train is coming to Brunswick and a bus route with Coastal Transportation will help. Deputy Administrator Sawyer reported the Budget Advisory Committee met today and recommends a \$3,000 contribution to the MRRA's regional economic development efforts. Selectman Multer moved, seconded by Selectman Wallace to place an article to appropriate \$3,000 on the warrant; motion passed 3-0. Each Selectman recommended the article.

c) Mitchell Field Bandstand: Chairman Henderson noted the receipt of a resident's email expressing concerns about the bandstand proposal. The Board discussed the proposed article for the bandstand and concurred that if passed, Town Meeting is giving the authority to the Board to establish the terms and

conditions with the group building the bandstand, including the location of it, prior to the start of construction. Selectman Multer asked that a tentative agreement be available for Town Meeting. Chairman Henderson moved, seconded by Selectman Multer to place the bandstand article on the warrant; motion passed 3-0. Each Selectman recommended the article.

d) New Meadows River Watershed Membership: Selectman Multer expressed concern regarding the Lake Tidal Restoration and the potential impact on clammers. The NMRWP has not taken a formal position on the issue and handles many other issues in the region that benefit Harpswell for its \$1,000 membership. Chairman Henderson moved, seconded by Selectman Wallace to place the New Meadows appropriation on the warrant; motion passed 3-0.

e) Workforce Housing Fund Article: Chairman Henderson moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

f) Set Interest Rate for Late Tax Payments and Abated Taxes: Selectman Multer moved, seconded by Selectman Wallace to set the tax rate for late payments at 6% and for abated taxes at 5%; motion passed 3-0. Each Selectman recommended the article.

g) Review Proposed Use of Revenues: Administrator Eiane reviewed the use of fund balance, non-property tax revenues and revenue sharing. Chairman Henderson moved, seconded by Selectman Wallace to proceed with the figures in the warrant article; motion passed 3-0. Each Selectman recommended the article.

h) Ordinances: Chairman Henderson moved, seconded by Selectman Multer to place the Animal Control Ordinance on the warrant; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Wallace to place the Shellfish Ordinance on the warrant; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to place the Gift Ordinance on the warrant; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Wallace to place the swimming pools ordinance changes on the warrant; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to place the non-conforming structure ordinance changes on the warrant; motion passed 3-0. Each Selectman recommended each of the above ordinance articles. Chairman Henderson moved, seconded by Selectman Multer to place the Sign Ordinance on the warrant; motion passed 3-0. Chairman Henderson and Selectman Multer recommended the sign article and Selectman Wallace does not recommend it. Chairman Henderson moved, seconded by Selectman Wallace to place the Planning Board's recommended Blasting Ordinance and the Board's version on the warrant with the Planning Board's version listed first; motion passed 3-0. Chairman Henderson recommends the article and Selectman Wallace and Selectman Multer do not recommend. Each Selectmen recommended the Board's version of the Blasting Ordinance. Chairman Henderson moved, seconded by Selectman Wallace to place the Site Plan Review ordinance changes on the warrant; motion passed 3-0. Each Selectman recommends the article. Chairman Henderson moved, seconded by Selectman Wallace to place the Workforce Housing ordinance additions on the warrant; motion passed 3-0. Each Selectman recommends the article.

i) Orr's Island Library Capital Article: Administrator Eiane reported she contacted the Orr's Island Library treasurer regarding the Budget Advisory Committee's recommendation to place a condition on the Town's appropriation article requiring that the Library raise \$100,000 in non-Town sources. The Library was not aware of the condition and preferred not to be subject to a condition. Administrator Eiane reported the Library has raised \$36,000 so far in non-town sources. Selectman Multer moved, seconded by Selectman Wallace to lower the conditional amount to \$50,000; motion passed 3-0. Each Selectman recommends the article.

j) "Welcome to Harpswell" signs: The Board modified the language in the "Welcome to Harpswell" signs article and Chairman Henderson moved, seconded by Selectman Wallace to place the revised article on the warrant; motion passed 3-0. Each Selectman recommends the article.

k) Conditional and Unconditional Gifts of Money Article: Selectman Wallace moved, seconded by Selectman Multer to remove the article as State Law allows the Board to accept money; motion passed 3-0.

9. Recommendation for Engineering Services: Administrator Eiane reported that the review group (Planner, Code Office, Road Commissioner, Selectman Multer and Town Administrator) narrowed the 13 responses to the Town's request for proposals to two final candidates: Gorrill-Palmer and Woodard & Curran and referred to her memo that outlined the pro's and con's associated with each entity. Selectman Multer stated the majority of the group wanted to remain with Woodard & Curran but that she wanted to try the new firm and see if the Town saves money. Selectman Wallace agreed with Selectman Multer. Selectman Multer moved, seconded by Selectman Wallace to proceed with Gorrill-Palmer for engineering services; motion passed 3-0.

10. Adoption of Continuity of Operations Plan: Chairman Henderson asked some questions about the draft Continuity of Operations Plan (COOP), but indicated that the draft showed a lot of hard work, looks very good, and is heading in the right direction. Staff will investigate the points and come back with a revised plan.

11. Warrant for Unlicensed Dogs: Administrator Eiane read the section of the Town's current Animal Control Ordinance that requires a warrant be issued to owners that have failed to license their dogs. Selectman Henderson expressed concern over the number of owners in non-compliance and hoped that some arrangement could be considered to reduce that number in the future. Selectman Multer moved, seconded by Chairman Henderson to issue the warrant; motion passed 3-0.

12. Other Business: The Board scheduled a Board of Assessor's meeting with Curt Lebel on March 9 at 4:30; and adjusted the workshop meeting time with the CPIC. The Board briefly discussed the dedication process for the Town report.

13. Authorization of the Warrant: Selectman Wallace moved, seconded by Chairman Henderson to authorize warrant #10 in the amount of \$704,399.05; motion passed 3-0. Selectman Multer moved, seconded by Chairman Henderson to authorize warrant #11 in the amount of \$8,425.70; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #8 in the amount of \$13,676.10 was noted for the record.

14. Adjournment: The meeting adjourned by unanimous vote at 10:40 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments:

[Attachments are available at the Town Clerk's Office or by email at harpswell@gwi.net]